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TELECOPY COVER SHEET

TO: Examiner Ken Horlick, Group 1807 ON: November 19, 1997 at
(Date) (Time)

FIRM: U.S. Patent and Trademark Office CLIENT NO.: 16842-739

CITY/ STATE: Washington, D.C. CLIENT NAME: Perkin Elmer Applied Biosystems

OFFICE PHONE: 703-308-3905 WSGR OPERATOR:

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MESSAGE:

PLEASE DELIVER TO EXAMINER KEN HORLICK, GROUP 1807

Official Filing

RE: Application Serial No. 08/752,973

Attached: Information Disclosure Statement; PTO Form 1449; Certification under 37 CFR 1.97(e)(1); 2 references

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#25

PATENT

Attorney Docket No. 16842-739

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Woudenberg et al.

Application No.: 08/752,973

Filed: December 2, 1996

Title: **SYSTEM FOR REAL TIME DETECTION OF
NUCLEIC ACID AMPLIFICATION PRODUCTS**

) **PATENT APPLICATION**

) Art Unit: 1807

) Examiner: K. Horlick

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

— This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- (1) It is being filed within 3 months of the application filing date
-- OR --
- (2) It is being filed within 3 months of entry of a national stage
-- OR --
- (3) It is being filed before the mail date of the first Office Action on the merits.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☒ a certification as specified in §1.97(e) is provided below; or

— a fee of \$240.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

— 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$ 0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 16842-739).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: November 19, 1997

By: David J. Weitz

David J. Weitz
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CERTIFICATION

(Attachment to Information Disclosure Statement)

X 37 C.F.R. §1.97(e)(1). APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or

— 37 C.F.R. §1.97(e)(2). APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Date: November 19, 1997

By: David J. Weitz
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